

## **REMARKS/ARGUMENTS**

Responsive to the Office Action mailed July 30, 2004:

### I. NON-PRIOR ART MATTERS

A. The Office Action rejected claims 12-14 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 12 has been amended and is now allowable.

### II. PRIOR ART MATTERS

A. The Office Action rejected claims 16 and 19 under 35 USC 102(b) as being anticipated by Garvison. Applicant respectfully traverses this rejection.

A single prior art reference anticipates a claimed invention only if it discloses each and every claim element.<sup>1</sup>

Garvison does not disclose: a manually adjustable trigger adjustment mechanism or an adjuster dial or an adjuster in cooperative communication with the adjuster dial.

The Office Action has not shown where Garvison discloses items 40 and 42 to read upon these specific limitations. Applicant can find no teaching in Garvison that coil spring or highly-resilient elastomer 40 can be adjusted manually by the plug 42.

Claims 16 and 19 are therefore allowable.

B. The Office Action objected to claims 20-22 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for indicating the allowable subject matter.

However, claims 20-22 contain additional elements or limitations beyond allowable claim 19 and are therefore also allowable.

---

<sup>1</sup> *Structural Rubber Prod. Co. v. Park Rubber Co.*, 749 F.2d 707, 223 USPQ 1264 (Fed. Cir. 1984)

For the above reasons, Applicant respectfully requests the allowance of all claims and the issuance of a Notice of Allowance.

Respectfully submitted,

Dated: 8/25/04

By \_\_\_\_\_

Gerald E. Helget (Reg. No. 30,948)

Nelson R. Capes (Reg. No. 37,106)

Briggs and Morgan, P.A.

2200 IDS Center

80 South Eighth Street

Minneapolis, MN 55402

Telephone: (612) 977-8480